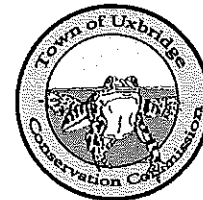


Town of Uxbridge
Conservation Commission
21 South Main Street
Uxbridge, MA 01569
508-278-8600 x 2020



**Conservation Commission Meeting Minutes
October 18, 2021**

Present: Jeff Shaw, Russell Holden, Paul Balutis, Jessica Cleary, Mark Richardson, Tomas Etzold and administrator Melissa Shelley

Absent: Philip Bertuglia and Lauren Steele

REC'D UXB TOWN CLERK
2021 DEC 1 AM 10:48

PUBLIC HEARINGS

1. Request for Determination of Applicability (RDA) FY2022-01 465 Mendon Street (Map 14 Parcel 3587) (00:35 – 13:00)

Applicant: Merlin Amstutz

Representative: Civil Site Engineering, LLC

Project Description: Repair/Replace existing failed septic system in the approximate same location as the existing and improvements to an existing driveway.

Discussion: Brad Vecchione, Civil Site Engineering, attended on behalf of the applicant to clarify the members' concerns with erosion control detail presented on the plan. Mr. Holden explained they are looking to ensure the compost sock & silt fence are installed properly given steepness of the slope on the site. Specifically, the Commission is looking for a toed in silt fence with a compost sock right up against it (two separate structures that stand alone – silt fence downgradient of the compost sock). Mr. Vecchione said he understood the request and agreed to update the plan. It was also mentioned that the Uxbridge Board of Health approved the design and any updates would be made to their approved plan.

Motion: Mr. Holden made a motion to issue a Negative Determination of Applicability for 465 Mendon Street provided the following conditions are met. Mr. Balutis seconded, and the motion passed unanimously by vote of 6-0-0.

- 1) The design of the erosion control on the plan detail is submitted and approved by the Uxbridge Conservation Commission or it's Agent.
- 2) Any stockpiling of soil must be located in the area designated on the plan, encircled by erosion control and covered with a tarp.
- 3) A stamped Septic Plan approved by the Uxbridge Board of Health is provided to the Conservation Commission or it's Agent prior to the issuance of the negative RDA.

2. Notice of Intent (NOI) DEP #312-1123 0 Old Elmdale Road (Map 25, Parcel 3979) (00:13:05 – 00:15:47)

Applicant: Aris Group, LLC, 100 Church St. Whitinsville, MA

Representative: Andrews Survey & Engineering, Mendon St., Uxbridge MA

Project Description: The proposed project is for the development of a subdivision, "Elmdale Estates", within 100 feet of Bordering Vegetated Wetlands, including Bordering Land Subject to Flood and alteration within the 100ft and 200ft of the West River riverfront.

After reviewing the request to continue that was provided on 10/4/21, it was determined that the applicant's representative had requested a continuance to the 11/15/21 meeting of the Conservation Commission as they transition the project to a new engineering team.

Motion: Mr. Balutis made a motion to continue the public hearing for 0 Old Elmdale to the November 15 meeting of the Conservation Commission. Mr. Etzold seconded, and the motion passed unanimously by vote of 6-0-0.

3. Notice of Intent (NOI) DEP #312-1127 671 Quaker Highway (Map 45 Parcel 3895) (00:15:55 – 00:21:07)

Applicant: John Palmer, McIntyre Loam, Hopkinton Ma

Representative: Summit Engineering and Survey, Inc.

Project Description: Construction of a water quality basin, driveway and access roadway around a proposed warehouse building within the 100' Buffer Zone to a Bordering Vegetated Wetland. The project also consists of truck and trailer parking, employee and customer parking, and proposed drainage system.

Conservation Commission Meeting Minutes continued – Monday, October 18, 2021

The applicant requested a continuance to the 11/1/21 meeting as they revise plans to address some of the concerns identified during the site visit.

Motion: Mr. Balutis made motion to continue the public hearing for 671 Quaker Highway to the November 1 meeting of the Conservation Commission. Mr. Etzold seconded, and the motion passed unanimously by vote of 6-0-0.

4. Notice of Intent (NOI) DEP #312-11xx 90 Elmdale Road (Map 31 Parcel 185) (00:21:10 - 00:22:40)

Applicant: Jonathan Whipple, Webster, MA

Representative: Insite Engineering Services, LLC, North Smithfield, RI 02896

Project Description: The construction of a single-family home with driveway, septic system, and private well within a Riverfront area.

The applicant requested to continue discussion to the next meeting while awaiting DEP's comments.

Motion: Mr. Holden made motion to continue the public hearing for 90 Elmdale Road to the November 1 meeting of the Conservation Commission. Mr. Richardson seconded, and the motion passed unanimously by vote of 6-0-0.

5. Notice of Intent (NOI) DEP #312-11xx 35 Commerce Drive (Map 40 Parcel 3855) (00:22:43 – 01:02:33)

Applicant: Jay Lemire, Unilock, Uxbridge MA

Representative: Farland Corporation, Dartmouth MA

Project Description: The expansion of their complex with a 44,700+/- S.F. building and necessary site improvements within the Buffer Zone of a Bordering Vegetated Wetland.

Motion: Mr. Balutis made a motion to open the public hearing for 35 Commerce Drive. Ms. Cleary seconded, and the motion passed unanimously by vote of 6-0-0.

Presentation: Jay Lemire, Plant Manager, Unilock and Steve Carvalho, Farland Corp attended the meeting. Mr. Carvalho provided a review of the proposal, resource areas and stormwater improvements. It was noted that the wetlands were delineated on 4/18/21.

Discussion: Members examined the site plans and aerial images of the location. There was further discussion regarding the drainage with the applicant. After review of the erosion control detail, members asked for an additional silt fence (toed-in) downslope of the straw waddle. There was also discussion about snow storage and it was recommended that "no snow storage" signs are placed near the retaining wall to ensure it is not pushed into the wetland area. The addition of a water quality unit to capture and clean any water from the parking lot (made from their pavers) was also suggested.

Members scheduled a site visit for October 30 8:30am and the applicant agreed to have the edge of pavement and the and the stormwater structures staked out.

Motion: Mr. Balutis made motion to continue the public hearing for 35 Commerce Drive to the November 1 meeting of the Conservation Commission. Mr. Etzold seconded, and the motion passed unanimously by vote of 6-0-0.

6. Notice of Intent (NOI) DEP #312-11xx 434 Elmwood Avenue, Lot 2 (Map 49 Parcel 3998) (01:02:41 – 01:44:25)

Applicant: Ron Knapik, Knapik Builders, Grafton, MA

Representative: Land Planning Inc., N. Grafton MA

Project Description: The construction of a single-family home with driveway, septic system, and private well within Buffer Zone to a Bordering Vegetated Wetland.

Motion: Mr. Balutis made a motion to open the public hearing for 434 Elmwood Ave. Mr. Holden seconded, and the motion passed unanimously by vote of 6-0-0.

Presentation: Norm Hill, Land Planning, Brian Madden, LEC Environmental & Ron Knapik, Knapik Builders attended the meeting on behalf of the NOI.

Mr. Hill provided an overview of the property - flat for the first 80', gradually slopes uphill for 200', then flattens off at the proposed house location. Official soil testing has been completed and submitted to the BOH. The original lot was 17 acres

Conservation Commission Meeting Minutes continued – Monday, October 18, 2021

and was divided into 2 lots - 8 ½ acres each – and a Special Permit for a Retreat Lot was granted by the Uxbridge Planning Board. There is no proposed work in the resource areas on Lot 1. The proposed limit of disturbance is 2 ½ acres for the construction of the dwellings on both lot 1 and 2. The only resource area impacted by construction is the first 50' of driveway will pass through the buffer zone to a bordering vegetated wetland.

Mr. Madden explained the project is was subject to a MESA Project Review (Mass Endangered Species Act) by Natural Heritage and it was determined that it will occur within the habitat of a species of special concern – the eastern box turtle. As a result, a portion of the project must be conditioned to avoid a prohibited "take of state listed species". The conditions imposed are that the applicant provide a Turtle Protection Plan for approval and implementation and any work outside the proposed limit of disturbance will require new review. The MESA review and Turtle Protection Plan were provided and reviewed by members.

Abutter comments: Richard Roberge, 420 Elmwood Ave provided a description of the area and expressed concerns with the development potentially disturbing underground springs. Lisa Mosczynski, 404 Elmwood Ave, suggested the Commission request a Conservation Restriction be placed on the property because she had concerns whether the Commission has the ability to enforce the limit of disturbance.

Members discussed the possibility of conditioning conservation markers to demarcate the area to remain undisturbed. There was discussion about jurisdiction as there is only a small portion of the project within the buffer zone to a wetland that is across the street and Natural Heritage had not requested it as part of their conditions.

Motion: Mr. Holden made motion to continue the public hearing for 434 Elmwood Ave to the November 1 meeting of the Conservation Commission. Mr. Richardson seconded, and the motion passed unanimously by vote of 6-0-0.

REPORTED/ONGOING VIOLATIONS

1. DEP# 312-1086 — Tea Party Drive (01:44:35 – 02:33:24)
 - Dale McKinnon, Guerrier and Halton and Wellington Pereira attended the meeting. Mr. McKinnon reported that Basin 3 was opened Friday 10/15/21 and is operational for stormwater to flow in and out – he inspected it on Sunday 10/17/21 and reported that it looked "great". He requested the Commission lift the Enforcement Order.
 - There was a discussion about the source of the silt. Mr. Pereira is convinced it is coming from the gas line trenches and has instituted a new policy to stabilize and backfill trenches as soon as the line is in. He also said they instituted a maintenance procedure for keeping the catch basins free of silt. There are approximately 2 houses remaining on Tea Party that still require a gas line and 4-5 lots on Tea Party and "a few more" on Crownshield that have not yet been started.
 - Because of the discrepancies between Mr. Pereira's reporting and members' own inspections and Patrick Garner's rain reports, members were reluctant to lift the order without confirmation that the site is stable enough to keep the fine sediment out of the basin so it can function as designed & not require a pump to keep it from overflowing with silted water into stream below. Everyone agreed to keep it open at least until the next meeting.
 - **Motion:** Mr. Richardson made a motion to continue the Enforcement Order as it stands and review the status of the Order during the November 1 meeting. Mr. Etzold seconded, and the motion passed unanimously by vote of 6-0-0.
 - Mr. Shaw described silt in the stream where it travels under the culvert at Crownshield (to the North – Basin 1 A). At first, they believed it may be coming from the catch basin outfalls from the roadway and the Condominiums but after further inspection determined that the soils are very fine (not typical of road sand). The catch basins on Crownshield connect and there is an outfall in to Basin 1A. Mr. McKinnon agreed to investigate and report back during the next meeting.
 - A site walk was scheduled for 10/21/21 at 12:00pm
2. DEP# 312-1013 — 255 Chocolog Road, Cobblers Knoll Subdivision (02:33:34 – 02:34:18)
 - No new updates but members agreed to leave the item on the agenda.
3. DEP# 312-1104 — 515 Douglas Street (02:34:20 – 02:35:39)
 - The respondent informed us that they are a little behind because they are having little trouble finding workers. They have been providing update reports on time.
4. Commerce Drive Well Site – request to close EO (02:35:39 – 02:38:05)
 - Members have not all had a chance to visit the site to view the restoration so the item was passed over until the next meeting.
5. The Castles at Scotland Yard

Conservation Commission Meeting Minutes continued – Monday, October 18, 2021

- Covered during the Tea Party Drive conversation

PROCESSING

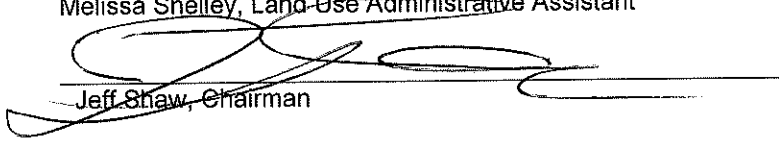
1. Meeting Minutes Review 10/4/21
 - Passed over

ANY OTHER BUSINESS, WHICH MAY LAWFULLY COME BEFORE THE CONSERVATION COMMISSION

ADJOURNMENT-NEXT MEETING SCHEDULED FOR Monday, November 1, 2021

Motion: Ms. Cleary moved to adjourn the 10/18/21 meeting of the Conservation Commission. Mr. Balutis seconded, and the motion passed unanimously by vote of 6-0-0.

Respectfully Submitted,
Melissa Shelley, Land Use Administrative Assistant


Jeff Shaw, Chairman